

2013 DRAFTING REQUEST

Bill

Received:	9/25/2013	Received By:	chanaman
Wanted:	As time permits	Same as LRB:	
For:	Jim Steineke (608) 266-2418	By/Representing:	Jon Turke
May Contact:		Drafter:	chanaman
Subject:	Criminal Law - guns and weapons Criminal Law - procedure	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
 Requester's email: **Rep.Steineke@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Extend statute of limitation for arson and change definition of Molotov cocktail

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 9/25/2013	evinz 9/25/2013	jfrantze 9/25/2013	_____			
/1				_____	mbarman 9/25/2013	srose 11/7/2013	

FE Sent For:

*None
Needed*

<END>

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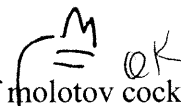
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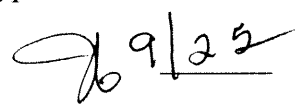
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FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3245/7

CMH:.....

Thurs please

Leev

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



SAJ
xrefv

replacer

1 AN ACT ...; relating to: statute of limitations for arson crimes and the definition

2 ^M of a molotov cocktail.

Analysis by the Legislative Reference Bureau

Under current law, a prosecution for the felony crime of arson must be commenced within six years of the violation. This bill changes that time limit to 15 years for arson of buildings, arson of property other than a building, and arson with the intent to defraud. This bill first applies the change to these arson offenses that, as of the effective date of this bill, have not been barred from prosecution under the six-year statute of limitation.

Current law defines, in part, a "fire bomb" (commonly known as a molotov cocktail) as a breakable container. This bill removes the requirement that the container be breakable.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. ^X 939.74 (2) (am) of the statutes is amended to read:

4 939.74 (2) (am) A prosecution under s. 940.06, [✓]943.02, [✓]943.03, or [✓]943.04 may

5 be commenced within 15 years after the commission of the violation.

History: 1981 c. 280; 1985 a. 275; 1987 a. 332, 380, 399, 403; 1989 a. 121; 1991 a. 269; 1993 a. 219, 227, 486; 1995 a. 456; 1997 a. 237; 2001 a. 16, 109; 2003 a. 196, 279, 326; 2005 a. 60, 276, 277; 2007 a. 80, 97, 116; 2009 a. 203; 2011 a. 271, 282; s. 13.92 (2) (i).

SECTION 2. 943.06 (1) of the statutes is amended to read:

943.06 (1) As used in this section, “fire bomb” means a breakable container containing a flammable liquid with a flash point of 150 degrees Fahrenheit or less, having a wick or similar device capable of being ignited, but does not mean a device commercially manufactured primarily for the purpose of illumination.

History: 1977 c. 173; 1985 a. 135 s. 83 (3); 2001 a. 109.

SECTION 3. Initial applicability.

(1) Notwithstanding section 990.06 of the statutes, the treatment of section 939.74 (2) (am) of the statutes first applies to an act for which the time limit under section 939.74 (1) of the statutes for prosecution has not expired as of the effective date of this subsection.

(END)

Rose, Stefanie

From: Turke, Jon
Sent: Thursday, November 07, 2013 1:42 PM
To: LRB.Legal
Subject: Draft Review: LRB -3245/1 Topic: Extend statute of limitation for arson and change definition of Molotov cocktail

Please Jacket LRB -3245/1 for the ASSEMBLY.